

CITY COUNCIL

CITY COUNCIL CHAMBERS, CITY HALL

137 ROOSEVELT AVENUE, PAWTUCKET, RI

WEDNESDAY, FEBRUARY 25, 2009

7:00 P.M.

PRE-COUNCIL AGENDA

5:00 PM – ORDINANCE COMMITTEE

6:15 PM – CLAIMS COMMITTEE

6:20 PM – FINANCE COMMITTEE

6:40 PM – PRE-COUNCIL – APPOINTMENT –

Michael D. Maher – Juvenile Hearing Board

6:45 PM – PUBLIC INPUT PERIOD

6:45 PM – BOARD OF LICENSE COMMISSIONERS

7:00 PM – CITY COUNCIL

DOCKET

CONVENED_____PM

Previous Minutes 02/11/09

1. *CONSENT AGENDA

2. *CORRESPONDENCE

A. Communication from Louise R. Phaneuf, Burrillville Town Clerk, to Rhode Island City and Towns (Support of Resolutions Regarding the FY2009 Supplemental Budget)

B. Communication from Louise R. Phaneuf, Burrillville Town Clerk, to Rhode Island City and Towns (Support of Resolution Regarding Legislation Requiring Utilities to Pay for Relocation of Infrastructure)

C. Communication from Kim A. Casci, East Providence Clerk, to Rhode Island City and Towns (Support of Resolution Regarding Necessary Municipal Tools Contained in the FY2009 Supplemental Budget Proposal)

D. Communication from Ronald L. Wunschel, Director of Finance, to the Honorable Members of the Pawtucket City Council (Statement of Estimated, Realized and Unrealized Revenues for the Fiscal Period July 1, 2008 through January 31, 2009)

E. Communication from Maurice P. Trottier, Korean War Veteran, to Henry S. Kinch, Jr., President, Pawtucket City Council (Requesting to Install Korean War Monument) TO BE REFERRED TO THE CITY PROPERTY COMMITTEE

F. Communication from Michael D. Cassidy, Director of Planning and Redevelopment, to the Pawtucket City Council (Proposed Zoning Map Amendment, Mill Building Redevelopment District, 400 Pine Street)

G. An Ordinance in Amendment of Chapter 410 of the Code of Ordinances of the City of Pawtucket 1996, Entitled “Zoning” TO BE LAID ON THE TABLE and REFERRED TO THE ORDINANCE COMMITTEE.

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H. An Ordinance in Amendment of Chapter 286 of the Code of Ordinances of the City of Pawtucket, 1996, Entitled “Noise.” (11:00 P.M. Time Limit on Amplified Sound at Outdoor Feasts or Festival on Fridays, Saturdays and Days Before Holidays) TO BE LAID ON THE TABLE and REFERRED TO THE ORDINANCE COMMITTEE.

I. An Ordinance Amending Section 388-64 of the Code of Ordinances of the City of Pawtucket, 1996, Entitled Memorial Hospital “Hospital Zone” Parking (Rhode Island Avenue) TO BE LAID ON THE TABLE and REFERRED TO THE ORDINANCE COMMITTEE.

3. Communication from His Honor, Mayor James E. Doyle, to the Honorable Members of the Pawtucket City Council, submitting the following appointment as a member of the Juvenile Hearing Board, FOR CONFIRMATION:

JUVENILE HEARING BOARD

Michael D. Maher, 80 Spring Street, Pawtucket, RI 02860, term expires the first Monday in December, 2012.

ROLL CALL FOR CONFIRMATION

AYES_____ NOES_____

4. Communication from His Honor, Mayor James E. Doyle, to the Honorable Members of the Pawtucket City Council, submitting the

**following reappointment as a member of the Board of Canvassers,
FOR CONFIRMATION:**

BOARD OF CANVASSERS

**Edward Catone, Jr., 78 Margaret Street, Pawtucket, RI 02860, term
expires the first Monday in March, 2015.**

ROLL CALL FOR CONFIRMATION

AYES_____ NOES_____

**5. THE FINANCE COMMITTEE RETURNS THE FOLLOWING WITH THE
RECOMMENDATION TO BE DENIED:**

**Communication from Ronald L. Wunschel, Director of Finance, to the
Pawtucket City Council, requesting a \$600.00 donation for the
shortfall of the Broad Street Winter Festival**

ROLL CALL AYES_____ NOES_____

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**6. THE FINANCE COMMITTEE RETURNS THE FOLLOWING WITH THE
RECOMMENDATION TO BE DENIED:**

**Communication from Mayor James E. Doyle to the Pawtucket City
Council (Inauguration Expenses/Home Heating Assistance)**

ROLL CALL AYES_____ NOES_____

**7. THE FINANCE COMMITTEE RETURNS THE FOLLOWING WITH THE
RECOMMENDATION FOR APPROVAL:**

**Ratification of the Contract between the City of Pawtucket and
Pawtucket Firefighters Local 4421 for the period of July 1, 2007 to
June 30, 2008 – Interest Arbitration.**

ROLL CALL AYES_____ NOES_____

**8. THE CITY PROPERTY COMMITTEE SUBMITS THE FOLLOWING
RESOLUTION WITH THE RECOMMENDATION FOR APPROVAL:**

**RESOLUTION NAMING THE COMPUTER CENTER AT THE LEON
MATHIEU SENIOR CENTER, THE “JOAN CRAWLEY COMPUTER
LAB”**

ROLL CALL AYES_____ NOES_____

**9. THE CITY PROPERTY COMMITTEE SUBMITS THE FOLLOWING
RESOLUTION WITH THE RECOMMENDATION FOR APPROVAL:**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LEASE
BETWEEN THE CITY OF PAWTUCKET AND G & D CORPORATION,
INC., d/b/a NEWS CAFÉ FOR THE MUNICIPAL PARKING LOT
LOCATED AT THE INTERSECTIONS OF SUMMER, BROAD AND
NORTH UNION STREETS**

ROLL CALL AYES_____ NOES_____

**10. THE FINANCE COMMITTEE RETURNS THE FOLLOWING
RESOLUTION WITH THE RECOMMENDATION FOR APPROVAL:**

**RESOLUTION AUTHORIZING THE ABATEMENT OF TAXES ON
MOTOR VEHICLES, REAL ESTATE AND TANGIBLE PERSONAL
PROPERTY FOR JULY, AUGUST AND SEPTEMBER, 2008, IN THE
SUM OF \$146,001.22**

ROLL CALL AYES_____ NOES_____

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**11. THE FINANCE COMMITTEE RETURNS THE FOLLOWING
RESOLUTION WITH THE RECOMMENDATION FOR APPROVAL:**

**RESOLUTION AUTHORIZING THE ABATEMENT OF TAXES ON
MOTOR VEHICLES, REAL ESTATE AND TANGIBLE PERSONAL
PROPERTY FOR OCTOBER, NOVEMBER AND DECEMBER, 2008, IN
THE SUM OF \$213,621.71**

ROLL CALL AYES_____ NOES_____

**12. THE FINANCE COMMITTEE RETURNS THE FOLLOWING
RESOLUTION WITHOUT A RECOMMENDATION.**

**RESOLUTION AUTHORIZING THE ISSUANCE OF TAX ANTICIPATION
NOTES**

ROLL CALL AYES_____ NOES_____

**13. THE FINANCE COMMITTEE RETURNS THE FOLLOWING
RESOLUTION WITH THE RECOMMENDATION FOR APPROVAL:**

**RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO ENTER
INTO CONTRACT FOR A TWO YEAR TERM FINANCE LEASE WITH
MUNICIPAL LEASING CONSULTANTS.**

ROLL CALL AYES_____ NOES_____

**14. THE FINANCE COMMITTEE RETURNS THE FOLLOWING
RESOLUTION WITH THE RECOMMENDATION FOR APPROVAL:**

**RESOLUTION APPROVING THE FUNDING OF THE 2 YEAR MASTER
LEASE PURCHASE PROGRAM WITH MUNICIPAL LEASING
CONSULTANTS.**

ROLL CALL AYES_____ NOES_____

15. THE FINANCE COMMITTEE RETURNS THE FOLLOWING

RESOLUTION WITH THE RECOMMENDATION FOR APPROVAL:

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN EQUIPMENT LEASE/PURCHASE AGREEMENT, AND RELATED INSTRUMENTS, FUNDING OF THE FY2009 LEASE PURCHASE EQUIPMENT LIST PLUS RELATED EXPENSES, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

ROLL CALL AYES_____ NOES_____

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16. RESOLUTION SUPPORTING 2009- S 0312, “AN ACT RELATING TO ELECTIONS – LOCAL CANVASSING AUTHORITIES”

ROLL CALL AYES_____ NOES_____

17. THE ORDINANCE COMMITTEE RETURNS THE ORDINANCE ENTITLED “AN ORDINANCE IN AMENDMENT OF CHAPTER 63 OF

**THE CODE OF ORDINANCES OF THE CITY OF PAWTUCKET, 1996,
ENTITLED “PERSONNEL POLICIES.” (City Owned Vehicles)” WITH
THE FOLLOWING AMENDMENTS:**

A. Amend § 63-3. (a)

**(a) Automobiles shall be provided to the following City positions and
the vehicles will be allowed to be garaged at the residence of the
assigned individual after established work hours:**

The Mayor/Director of Public Safety

The Police Chief

Majors of the Police Department

The Fire Chief

The Assistant Fire Chief

The Director of Public Works

Superintendent of Streets and Bridges

Traffic Engineering Supervisor

Director of Zoning Enforcement

Director of Emergency Management

Add the following:

K-9 OFFICERS

ROLL CALL AYES_____ NOES_____

B. Add the following to § 63-3. (a)

THE ANIMAL CONTROL OFFICER OF HIS/HER DESIGNEE

ROLL CALL AYES_____ NOES_____

C. Add the following to § 63-3. (a)

THE SPECIAL SQUAD

Add § 63-3. (f)

(F) SPECIAL SQUAD GAS USAGE SHALL BE CAPPED AT 700 GALLONS/MONTH. THE COST OF GASOLINE USAGE ABOVE THE CAP SHALL BE REIMBURSED TO THE CITY FROM THE POLICE DEPARTMENT'S STATE OR FEDERAL SEIZURE FUND.

ROLL CALL AYES_____ NOES_____

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D. Add the following to § 63-3. (a)

ONE POOL VEHICLE FOR FIRE PREVENTION OFFICERS

ROLL CALL AYES_____ NOES_____

E. Add the following to § 63-3. (a)

IN ADDITION, FOR POLICE MATTERS ONLY, THE CHIEF OF POLICE SHALL BE EMPOWERED TO AUTHORIZE ADDITIONAL USE OF POLICE VEHICLES TO BE GARAGED AT THE HOME OF POLICE DEPARTMENT PERSONNEL FOR A FINITE PERIOD OF TIME.

ROLL CALL AYES_____ NOES_____

F. Add the following to § 63-3. (c)

(c) No other City vehicle shall be taken home after established work

hours unless specific approval is granted by the City Council to a City Vehicle Justification Petition (CVJP) submitted by a duly authorized department head. The CVJP shall first be approved by the Mayor or his/her designee. Only one vehicle per CVJP will be considered by the Council. The Council reserves the right to reconsider a CVJP at any time. THE CITY COUNCIL SHALL NOT CONSIDER ANY CVJP THAT HAS NOT BEEN APPROVED FIRST BY THE MAYOR OR HIS/HER DESIGNEE.

ROLL CALL AYES_____ NOES_____

G. All the following to §63-3. (e)

(e) No city owned vehicle is to be operated while under the influence of alcohol or any controlled substance, PURSUANT TO RHODE ISLAND GENERAL LAW § 31-27-2, OR ANY SUBSEQUENT STATE LAW PERTAINING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS.

ROLL CALL AYES_____ NOES_____

18. THE ORDINANCE COMMITTEE RETURNS THE FOLLOWING ORDINANCE WITH THE RECOMMENDATION FOR APPROVAL WITH AMENDMENTS:

AN ORDINANCE IN AMENDMENT OF CHAPTER 63 OF THE CODE OF ORDINANCES OF THE CITY OF PAWTUCKET, 1996, ENTITLED “PERSONNEL POLICIES.” (City Owned Vehicles)

FOR FIRST PASSAGE

ROLL CALL AYES_____ NOES_____

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19. THE FINANCE COMMITTEE RETURNS THE FOLLOWING WITH THE RECOMMENDATION FOR APPROVAL:

AN ORDINANCE ESTABLISHING A PAY PLAN FOR THE CITY OF PAWTUCKET FOR UNIFORM MEMBERS OF THE FIRE DEPARTMENT, JULY 1, 2007 – JUNE 30, 2008, AND REPEALING CHAPTER 2817 IN ITS ENTIRETY.

FOR FIRST PASSAGE

ROLL CALL AYES_____ NOES_____

20. THE FOLLOWING LICENSE WAS LAID ON THE TABLE AT THE MEETING HELD FEBRUARY 11, 2009 AND IS AGAIN TAKEN UP:

POOL TABLE - Renewals

Dancinbr Enterprises LLC d/b/a Ray's Boulevard Tap, 572 Armistice Blvd. (1) Weekdays LIC#5064

21. *PETITIONS FOR LICENSES:

ENTERTAINMENT –

Petition of Grupo Tradigao Inc., to conduct a fundraiser at 999 Main Street, on Saturday, March 7, 2009 from 7:00 pm to 1:00 am., LIC#5091

PEDDLER LICENSE - Renewal

Palagi's 2000, Inc. d/b/a Palagi's Ice Cream, 55 Bacon St., LIC#4918

DRIVER: Alejandro Arteaga, 237 Suffolk Ave., Pawtucket, RI

PEDDLE: Ice Cream

LOCATION: All of Pawtucket

PEDDLER LICENSE – New

New England Novelty, 461 Main Street, LIC#5099

DRIVER: Keith Lambea, 811 Mineral Spring Avenue, Pawtucket, RI

PEDDLE: Balloons, Toys, etc.

LOCATION: All of Pawtucket

DRIVER: Frank Parker, 1220 Roosevelt Avenue, Pawtucket, RI

PEDDLE: Balloons, Toys, etc.

LOCATION: All of Pawtucket

DRIVER: Jane O'Donnell

PEDDLE: Balloons, Toys, etc.

LOCATION: All of Pawtucket

DRIVER: Shannon Issler, 811 Mineral Spring Avenue, Pawtucket, RI

PEDDLE: Balloons, Toys, etc.

LOCATION: All of Pawtucket

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PINBALL & AMUSEMENT DEVICES – New

**Blackstone at Hope LLC d/b/a Blackstone, 1005 Main St. (1) Weekdays
& Sundays LIC#5090**

POOL TABLE – New

**Blackstone at Hope LLC d/b/a Blackstone, 1005 Main St. (2) Weekdays
& Sundays LIC#5089**

POOL TABLE - Renewals

JK Club LLC d/b/a J K Club, 520 Cental Ave. (1) LIC#4932

**Chazarie Inc., d/b/a Broadway Pub, 605 Broadway, (1) Weekdays &
Sundays LIC#3170**

VICTUALLING HOUSE – New

**Las Margaritas Restaurant LLC d/b/a Las Margaritas Restaurant,
(prev. Fermin Fuentes d/b/a Los 3 Amigos Restaurant) 200 Mineral
Spring Ave. LIC#5092**

VICTUALLING HOUSE – Transfer

**Tiggers Restaurant LLC d/b/a Tiggers Two, 429 Benefit Street
(transfer from 844 Newport Avenue) LIC# 5093**

**22. *THE FOLLOWING CLAIMS FOR DAMAGES AGAINST THE CITY
TO BE REFERRED TO THE COMMITTEE ON CLAIMS AND PENDING
SUITS:**

Leo Antaya - \$850.00

Christine Brehm - \$1,878.98

Lisa Dalton - \$90.84

Edward Halloran - \$250.22

David Forget by Charles Vucci, Esq. - \$100,000.00

John Kinkamper - \$200.00

Joao Pereira - \$1,884.97-\$4,147.68

Nelson Roque by Progressive Insurance - \$7,069.82

ADJOURNED_____P.M.